

SATURDAY December 5th 1863.

## THE LEGEND OF MOUNT DIABLO.

A writer in the October number of the Atlantic Monthly, gives a legend of Monte del Diablo, in which he portrays the manner of its having received its Satanic name, as well as a significant vision concerning the exit of the pious missionaries with their Spanish retinue, and the appearance of another race of men. The legend runs thus:

A holy friar, named Jose Antonio Haro, having ascended the mount to explore, encountered the old horn-headed, club-footed imp of darkness on the summit, who, in the dusk of the evening fanned away the fog and bid the good priest to look to the west; he did so and beheld a long cavalcade of gallant cavaliers all in deep mourning; martial music reached his ears, and as they swept down the plain they were joined by like processions defiling from every ravine and canyon of the mysterious mountain; the cross of Santiago glittered, and the banners of Castile and Aragon waved over the moving column. The evil one at length broke the reverie of the holy man in this wise:

You behold the fading foot-prints of adventurous Castile—the declining glory of old Spain. The soil she hath acquired is lost to her irrevocably. "Look to the east." Father Jose looked as directed, and saw a strange and motley crew; instead of the dark-eyed and raven-tressed sons of Castile, he beheld blue eyes and flaxen hair of a Saxon race; instead of music, they emitted strange guttural noises; instead of decorous tread and stately mien, they came swaggering; giant trees fell before them as with the breath of a tornado, and the bowels of the earth were torn and rent as with a convulsion. The Father demanded of the mysterious stranger who had shown him all this, "who are these swaggering, bustling Ishmaelites, with neither cross nor holy symbol?" "Step under the shadow of my plume," said his companion, "and ye shall see." Father Jose stepped beside him and they both sank into the earth. When the Father opened his eyes, he found himself in a vaulted chamber spangled with diamonds and a floor of pure gold, lakes and streams of pure gold lay in caverns in all directions; some liquid and some solid. The Devil signified that if the priest would desert the country, taking with him his bells and holy images and missions, he would crown his old age with pleasure, and that he should not want, at the same time nodding significantly at the lake. Incensed at the attempted bribe, the Father brandished his crucifix in the face of the arch fiend and bid him depart, at the same time letting fall the crucifix by accident, when a tussle ensued, both attempting to obtain it, in which the good monk was so overpowered as to become insensible. When he awoke to consciousness, he was being carried on a litter by friends who had found him on the summit of Mount Diablo near where he had so miraculously disappeared into the earth. His faithful attendants coming to the spot just at the time of his being exhumed, saw the monster leave him after he had reached the surface, but he had then assumed the shape of a grizzly bear, and with his claws either before or after his transformation he had lacerated the arms and body of the priest to an alarming degree. Since that day, says the legend, the mountain has been shrouded as a place of evil spirits. The Rev. Father lived to witness the fulfillment of much of his prophetic vision as shown him on the mount, but it was reserved for his successors in the fullness of time to realize the sequel.

**INCORPORATION.**—It remains with the people of Bannock to say whether the town shall be incorporated or not this Winter, and in case it is thought best to have a city government for fire and police, as well as other municipal regulation, there is not a moment to lose. We can have it if we wish it, and if we don't want it we need not have it; so that the only matter to be decided with regard to it is, do we want a mayor, common council, marshal, and regularly organized police or are we better off as we are without these appliances? One argument in favor of the incorporation, and a very potent one too, is, that by that arrangement the expenses of carrying on a municipal government would be raised by taxation thereby subjecting all alike to pay an equal share in proportion to the amount of property in jeopardy, whereas by the subscription system we understand the onus of keeping up a fire and police organization falls upon the shoulders of a few. Large property holders refusing to subscribe over five dollars, reserving even the payment of that contemptible sum until their more enterprising neighbors shall have gone to the expense of procuring all the fire implements and organizing the company. There should be some means by which to reach the pockets of the illiberal and require them to assist in protecting the city.

**ANGEL'S VISITS.**—It is said that angels' visits are few and far between, and so they seem indeed to be. Editors all over the world are announcing every now and then that angels have visited their sanctums—of course they were only ordinary mortal females robed in calico, and all that sort of paraphernalia magnified and etherealized into the celestial by inflated imaginations. But granting, as we are willing to do at this moment, that such as we see on the streets and at church thus arrayed are angelic, and still their visits to our sanctum are few and far between. Once or twice one of these bewitching creatures has ventured to step over the threshold charily and remain a few minutes; again a sweet little kid opened the door and stood a moment like the tableau of Eva in the play, filling the office with consternation at the splendor of the apparition, then gave a celestial to-be and vanished into thin air. With these exceptions angels have not deigned to visit us either in person or by terrestrial representations.

"Are ye forever to your skies departed?  
O! will ye visit this dim world no more?  
Ye whose bright wings a solemn splendor darted  
Through Eden's fresh and flowery shades of yore?"

We read in Milton that

"Angels contented with their fame in heaven,  
Seek not the praise of men;"

and, that "they spend their hours in joy and hymning;" so that we are inclined to doubt the presence of the genuine article even in as enchanted an earthly paradise as a printing-office but if any of their counterfeit similitudes of Bannock wish to make us happy with their presence, they will always be welcome, and we shall be delighted to see them withal.

**OYSEE AGAIN.**—Judge E. T. Beatty, who has just returned from the Oysee mines, has shown us specimens from the Morning Star and Oro Fino ledges. The Morning Star, from which specimens have hitherto been shown us by other parties, we have from the first been convinced, is about the best rock that has ever been brought to this place from any lode. The specimens brought in by Mr. Beatty, which he assures us are not better than an average of the whole lode, though not so rich as smaller specimens submitted to our inspection from the same claim, are still more convincing as to its richness; they are large and represent the ledge fairly in its entirety. An assay of this rock, made for Judge B., showed a yield of \$7000 in silver and \$2800 in gold. The silver permeates the entire rock and is not in spots and particles as is the case in many ledges, specimens from which assay well but do not work up to the prospect. The Oro Fino is of a different character; the rock is light; shows the presence of a considerable amount of gold and silver, but has not been assayed that we know of. A town on Jordan creek called Boonville has recently sprung up; it contains 13 houses and covers about all the available building ground there is in the vicinity, as the canyon is very steep, the site being formed by the junction of a gulch with the creek. Ruby city, two and a half miles further up the stream, is very similar in size and character. One mile still further up is another town laid out, but as the site is now covered with snow, no building has been begun, neither have they given the place a name. The weather is extremely cold with chilling winds in that region, and the Judge found it disagreeable prospecting.

**SECOND MEETING.**—The Idaho Hook and Ladder Company, Foreman Van Wyck in the chair, met at the Magnolia on Monday night and passed a number of resolutions, appointed committees, &c. Among the most important of which was a committee of five wardens to examine stovepipes, linings, &c., liable to take or set fire to houses, thereby endangering the safety of the whole town. This is an important movement, and one that we called the attention of the citizens to several weeks ago. Better late than never is an old and wise adage, and we hope now that a move has been made in the matter to hear no more about fires starting from poorly arranged stovepipes. Committees were also appointed to procure buckets, axes, hooks, ladders, &c.; and one to inquire into the expediency of procuring a truck and truck-house. A house in which to hold meetings and keep implements, &c., is certainly necessary but it is very doubtful whether or not a truck could be used more than a month longer, and two or three men a hold of a ladder will always travel faster with it than they could if they were loaded on a truck which had to be dragged even through a foot of snow. Sleighs might answer a better purpose than wheels during the Winter, and even they could only be drawn through the principal streets. The thoroughfare accommodations of Bannock are wholly inadequate to the necessities of the people. Should a fire occur on one of the back streets a large ladder could hardly be got on the ground without taking it clear out of town at one end or the other of one of the principal streets and approaching the fire from the rear. A survey should be had and more streets opened as a fireman's necessity, if for nothing else, and God knows there are a thousand outside reasons why it should be done. The meeting adjourned to meet again on Wednesday evening to receive the reports of committees.

Wednesday evening the company met pursuant to adjournment—Foreman Van Wyck in the chair. The committee on truck house reported having procured a building on Commercial st. between Main and Montgomery, at \$30 per month. Committee on ladders had ordered them made. Other committees made verbal reports; some had not finished their labors and were granted further time.

**LITERARY ASSOCIATION.**—In view of the long Winter evenings that must intervene between this and Spring, parties in town are about to resolve themselves into a literary society. We published a communication in relation to it last week and now call attention to it again in order that those who prefer spending their time in that way rather than in drinking saloons—the only places of public resort at present—may think of it, and, we hope, resolve in their own minds that it will be better not only for their mental but physical health, and a source of much more enjoyment to them to join in an association of this kind, that has for its object their advancement rather than to pursue a course that can only result in their debasement. It is the intention of those who feel and take a lively interest in getting up this society to not only have stated lectures once or twice a week, but a reading-room and library which will be interesting to all. We hope it may succeed.

**MINERS' MEETING.**—As a miners' meeting will be held at two o'clock to-morrow afternoon to enact new laws and elect a recorder, we have been requested to direct the attention of miners to a subject that we have never heard discussed. Certain parties are anxious to sink a shaft in the mines below the cement with a view to ascertaining what there is on the bed-rock; to this the owners of claims object, and it is desired by some that this matter be brought up and discussed at the meeting to-morrow, in order to find whether parties are entitled to hold ground once worked to the cement, to the exclusion of those who wish to prospect it deeper or not. It is a matter about which we feel very little interest further than that we would like to see the ground prospected to the bottom, and these parties are willing, as they assure us, to incur the expense of prosecuting the work, provided they are permitted to do so and are protected in the possession of whatever they may find below the cement.

**THE CALM DEWY MORNING.**—On the outside of this paper will be found a poem entitled as above, said to have been written by Robt. Burns, Jr., son of the illustrious bard of Ayrshire. We publish it from memory, having received it several years ago from an old Scotchman, who said he had learned it in Scotland, and that it had never been in print. As far as we know—never having met with it in a tolerably extensive reading of Scotch poetry—it is now produced in type for the first time. The Scotch peasantry seem to have had fears that the son might excel his father as a poet, and as they desired the name of the rustic rhymist to stand pre-eminent in that line, discouraged the son in his attempts to write poetry, and even prevailed upon him to promise that he would write no more. "The Calm Dewy Morning" is said to have been sung by him at a dinner party given him by his friends on his return to Scotland after an absence of some years as a post captain in the British navy, and having, as the song indicates, fallen in love with a lady in a foreign port. Such is the history of the poem as we received it from one who ought to know, and we give it as we received it.

**BROKEN HEADS.**—Several parties were found in the streets on Tuesday morning—some with fractured skulls, some with bunged eyes and swollen faces, indicating very clearly that there had been a muss somewhere during the night; blood was freely sprinkled about the town on wood-piles and sidewalks. We got on the track early in the morning and attempted to track it to the fountain-head, but found it a difficult matter, as puddles of blood were distributed over so large a district that it was almost impossible to locate the fight. We found it, however, but could learn nothing of the circumstances except that the proprietors of the restaurants and saloons had shut their doors when the fuss began and refused to see or know anything about it. The report current on the street however, is, that a party consisting of miners and packers took too much whisky aboard and became noisy and ungovernable, when the police approached them and requested them to desist, whereupon they became furious and defied the authorities, and some say drew weapons which was a signal for a general fight, in which the police were completely victorious, as is plainly apparent from the condition of the vanquished.

Three parties whom we have seen, viz:—Neal Maloy, Peter Manion, and William R. Robbins were very roughly handled; Maloy and Manion who are said to be quiet, orderly men as a general thing and not in the habit of drinking to excess, are still confined to their beds. Maloy's wound was a very dangerous one; the skull in the forehead was fractured, perhaps by having the cock of a pistol driven through it, scaling the bone off on the inside and driving several pieces down into the brain, rendering it a most delicate operation in surgery to remove the broken bone and extract the particles from the interior of the skull. The operation was successfully performed by Dr. Raymond, on Tuesday afternoon—the patient, meanwhile, having been in convulsions for several hours. After the operation he began slowly to recover his rationality, and is now in a fair way to recover;

the extent of Manion's wounds we have not ascertained, but we understand that he is considered out of danger. When we saw him his head appeared to be enveloped in clotted blood. Packer Bill—Robbins—was not so badly hurt, although one eye is swollen shut, and the side of his face is beaten to a jelly, and is as large as two faces ought to be; his mouth is nearly plastered up with court-plaster—one corner being left open, where he manages to introduce a sufficient quantity of stimulants to keep him on the same old 'bus', notwithstanding the striking warning of the officers of the law. These, we believe to be the circumstances connected with the affair as far as they are known outside of those engaged in it. If the men were really hostile and endeavoring to do violence to the officers, of course they were justifiable in resorting to harsh measures to subdue them; but it does appear to have been barbarous usage, and unless it can be shown that their lives were really in danger, the conduct of the police in the matter is altogether unwarrantable.

**WIFE-MURDER AND SUICIDE.**—A shocking and heartrending occurrence took place on Tuesday last at Centerville, in which a woman was shot and dangerously if not mortally wounded, and her husband, the perpetrator of the deed, shot and killed instantly by his own hand. It appears that the parties were Norwegians by the name of Smith, who came from Oro Fino where the husband had been mining with indifferent success, and on their arrival in Centerville, being destitute of means he was employed to cook for a party of men engaged in the butchering business—the husband also boarding with the party. After a time Smith became dissatisfied and desired his wife to remove with him to this place. She refused to do so, alleging as a reason that they had nothing to live on when they should arrive in Bannock, and as she had a good situation and a certainty in the way of making a living through the Winter where they were—she preferred to remain. Smith left and came here where he remained some two months, when he returned on Tuesday morning last, and demanded that she should accompany him to Bannock; this she refused to do when he drew a revolver and fired three shots at her and turned the pistol and sent a ball through his own heart. Only one shot took effect on the woman and that is supposed to have been the last one, as it hit her in the small of the back, and she had turned after the first fire and was endeavoring to escape through a door, when the last shot at her was fired. It has been supposed that jealousy was the cause of the rash act—others ascribe it to insanity. Smith is said to have been a sober, industrious man and must have been insane from whatever cause produced, for certainly no sane man would have resorted to means so desperate to avenge a wrong however heinous.

**MINERS' MEETING.**—At two o'clock on Sunday afternoon, the miners began to assemble at the corner of Wall and Montgomery streets, where they were addressed by Mr. Galbraith, who, it appeared from what we could gather from his remarks, had been accused of holding a dozen or two claims to the exclusion of many who had no claims at all. This impeachment the gentleman denied flatly and positively. He said he only held what the law permitted him to hold, viz: one creek, one bar and one hill claim, and concluded that if he held more than that number, he would be required to represent them by work once a week, but if we understood him correctly, he did not believe a man was required to work the claims first mentioned, as the law gave them to him without representation. There was much confusion in the crowd, and we heard him indistinctly. We believe the above to be the gist of what he said. After Mr. Galbraith was through, Duncan got up and told the miners that he was neither Judge this nor Col. that, but he would advise every man to stay on his claim and work it, and if any man came to jump it under such circumstances as that, to whale him. The meeting then moved up the street to the front of Mix's Drugstore and the Florence Saloon, where they organized by choosing Mr. Dodson as chairman and Mr. Pierce, secretary. A committee was appointed to remodel the district laws, and another to wait upon the Recorder and request him to call a meeting for next Sunday at 2 o'clock at the same place for the purpose of electing a Recorder and acting upon the report of the committee on laws. The meeting was in the meantime addressed by J. Marion Moore, Mr. Dodson, Mr. Davis, John Henry Smith. At half past three the meeting adjourned to meet to-morrow afternoon at two o'clock.

(Correspondence.)  
CENTERVILLE, Nov. 30th, 1863.

**MR. EDITOR:**  
In your last issue I notice an account of a nameless animal caught on the Snake river desert, now on exhibition in your town. Well, one cold morning last week some such an animal crawled into my store and squatted by the stove, remaining until driven out at night. It resembled your "What is it" in having paws like a bear, snout and ears of a brown snuff color, with a black streak around its neck, but I didn't notice as to its tail. He was no doubt driven in by the severe weather, and is as you say, "very tame considering the time he has been in white society," and although we did not try him with "bread" or "flesh," yet he ate "with equal gusto" some two pounds of cheese, and at least a pound of dried fruit which happened to be within his reach on the counter. "Buffon" not being in town, I consulted "the balance of the boys," and have come to the conclusion that he is what is known in Natural History as a "stove sharp," one of the numerous species of "Bummer." If not a Bummer, What is he? B. H.

**Good "cocktails" can be had at the "Marshall House." Try them on.**

**NIGHT WATCH.**—J. Hamlin and Martin M'Donnald have been employed by the property owners of the city, as Night watchmen. The city being divided into two districts the former takes charge of all south, and the latter all north of Wall Street. We have a list of some sixty subscribers to an agreement to pay a stipulated amount, weekly, for their services—too lengthy for publication this week.

At a meeting of the miners on main Elk creek, Bolse county, I. T., held at the mouth of Linnell Gulch on Thursday, Dec. 3, 1863, the meeting was called to order by appointing J. H. Chapman as chairman of the meeting and electing G. E. Zimmerman secretary. On motion, D. W. Cunningham, J. T. Mixon and A. T. Wynn were appointed a committee to draft a set of laws for a mining district. They reported the following, which were upon motion, adopted, to wit:

Section 1. This district shall be known as Elk Creek District.  
Sec. 2. The district shall commence at the lower boundaries of Eldorado and Deer creek districts, thence running down Elk creek to Bear Run, embracing all the gulches and ravines running into Elk creek between those boundaries, that are not now embraced in the North fork of Elk Creek District.  
[The remainder next week.—Ed. News.]

At a meeting of miners of Moore's creek and its tributaries, held at Walla Walla Flat, Dec. 3, 1863, Judge Galbraith was called to the chair, and on motion, A. B. Mett was elected secretary. On motion the following resolutions and laws were adopted:

Resolved—That for the better convenience of the miners of Moore's creek and its tributaries, it is thought to be expedient to organize a new mining district. This district shall commence at Bear Run, including Bear Run, thence along the base of East Hill to Moore's creek, thence across Moore's creek to the Sawmill including Noble gulch, thence up Moore's creek, including all its tributaries to its source.

Resolved—That said district shall be called Moore's Creek District, No. 4.  
[The balance next week.—Ed. News.]

**CORRECTED WEEKLY, BY HIGBY & CO.**  
Dealers in General Merchandise, Groceries and Provisions, Cor. Main and Wall Sts.

**Prices Current.**  
N. B. The prices stated are, for produce, the buying prices; for groceries and general merchandizing, the selling prices.

**GROCERIES AND PRODUCE.**  
Butter, lb 1 25 Beans, lb doz 40 @ 45  
Potatoes, lb 25 @ 30 Chickens, lb doz 30 @ 40  
Green apples, lb 30 Eggs, lb doz 2 00  
Apples, do, lb 50 Hams, lb 75  
Peaches, do, lb 65 @ 75 Soup, lb 55 @ 60  
Shoulders, lb 60 Lard, lb 70 @ 80  
Beef on foot, lb 12 1/2 Sugar, lb 55 @ 60  
Side Bacon, lb 65 @ 70 do N. O., lb 55 @ 60  
Tern, lb 50 @ 60 Island, lb 50 @ 60  
Syrup, gal 50 @ 60 do No. 1 C lb 40 @ 45  
Tea Imp. Gun, lb 2 00 Coffee, lb 60 @ 70  
do Black, lb 1 50 @ 2 00 do Rio lb 60 @ 70  
S. L. do Flour, lb 82 Candles, lb 1 00  
Best Oregon " 34 Nat leaf tobacco 1 60 @ 2 25  
Onions, lb 35 @ 40 Sweet tobacco 1 30 @ 1 50  
Rice, bust, lb 50

**CLOTHING.**  
Woolen kip boots \$20 Gun boots, long legs 13  
do calf do pair 15 Gun boots, short legs 11  
do do bus-Rs 8 00 Men's cavalry boots 10  
Nails, cut, lb 10 @ 25 Men's boots, long gr 10  
Mn's sp. bus, pr 9 00 California best blankets 14  
do med'm, pr 8 00 Salen blankets 13 & 15  
do calf, pr 8 @ 12 00 Oregon socks, lb doz 9  
do brog, kip pr 3 50 Best Cal wool sh's 35 & 4  
do quilted, pr 3 50 Pa-k gloves, lb doz 1 50 @ 2  
Woolen draw rs 18 @ 24 Red undersh'ts 30 @ 35  
Bed drawers 30 @ 35

**WINES AND LIQUORS.**  
Best champagne lb doz 48 Godard brandy lb 10  
Hock wine case 35 Juler R & Co. " 19  
Cal wine lb case 24 Pelissou & Sift " 6 67  
Claret lb case 24 Hermitage whisky lb 7  
Sherry gal in wood 7 Essence of Old Va. 67  
Port gal in wood 7 Magnolia w lb 6 65 @ 50  
Schnapps lb case 24 Eureka whisky gal 6  
Bokers butters lb 24 @ 30 Cutter wily gal 7 50

## Died.

At the county hospital, Nov. of inflammation of the brain, Michael O'Neil, aged about 50 years, a native of Ireland; leaves a wife and family in San Francisco.

On Grimes' Creek, Dec. 1st, of Typhoid fever, Lemuel Mead, aged 28 years; leaves a wife on Grimes' Creek.

At the house of Mr. Gaby in this city, 33 years of hemorrhage of the bowels, Winfield Bowman, formerly of Iowa, in 22nd year of his age.  
Iowa papers please copy.

## Stolen?

THE person who picked up a small "Black and Tan" Terrier Stut, answering and well known by the name of "Topsy", had better return her as I will not offer a reward.

J. R. MARSHALL,  
11, 14 Marshall House, Lower end Main St.

**Marshall House.**  
LOWER END MAIN STREET,  
Bannock City.

He undersigned having opened a first-class  
**SALOON,**  
Is now prepared to serve his friends and patrons with choice Wines, Liquors and Cigars.  
J. R. MARSHALL.

**Taylor's Hotel.**  
LE GRAND.

HAVING removed my hotel from Umatilla to Le Grand and fitted up with especial reference to the comfort and convenience of the traveling public, I shall be happy to meet old friends and make new ones, at my new home, which I shall endeavor to make such to them also, during their stay under my roof.  
W. B. TAYLOR.  
Le Grand, Dec. 1, 1863.

**HILL & KANE.**  
H. H. HILL, A. J. KANE.  
Umatilla Landing, Oregon.

**FORWARDING AND COMMISSION MERCHANTS.** Wholesale and Retail Dealers in every description of Merchandise. Traders and Miners can be supplied with all goods necessary for the mines at the

**LOWEST RATES.**  
All goods consigned to them will meet with proper attention.

**REFERENCES:**  
Portland—H. W. Corbet, H. Law, Richards & McCracken; Dulles—Robbins & Co., Grenzschach & Bivens, W. C. Moody & Co.  
Id.